

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

BOX PATENT APPLICATION

(a)

Assistant Commissioner for Patents Washington, D.C. 20231

Full Name

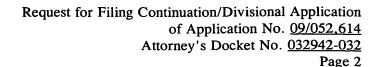
Sir:

This is a request for filing a [X] continuation [] divisional application under 37 C.F.R. § 1.53(b) of pending Application No. <u>09/052,614</u> filed on <u>March 31, 1998</u>, for <u>USE OF DEXTRAN AND OTHER POLYSACCHARIDES TO IMPROVE MUCUS CLEARANCE</u>, by the following named inventor(s):

Malcolm King

	(b)	Full Name	David P. Speert					
	(c)	Full Name						
[]	Applicant(s) hereby requests that the above-captioned application NOT BE PUBLISHED under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.							
[X]	The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.							
[]	accordar	nce with 37 C.	Ig filed by less than all the inventors named in the prior application. In F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) or persons who are not inventors of the invention being claimed in this					
	applicati		persons who are not inventors of the invention being claimed in this					
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[]	(a) (b) (c) This app	Full Name Full Name Full Name Full Name blication is beindance with 37 bllowing persor	ag filed by more than all the inventors named in the prior application. C.F.R. 1.63(d)(2), the Commissioner is requested to add the name(s) and persons who are inventors of the invention being claimed in this					
[]	(a) (b) (c) This app In according the formula in the second in the secon	Full Name Full Name Full Name Full Name blication is beindance with 37 bllowing persor	ng filed by more than all the inventors named in the prior application. C.F.R. 1.63(d)(2), the Commissioner is requested to add the name(s)					
[]	(a) (b) (c) This application of the for application ap	Full Name Full Name Full Name Full Name blication is beindance with 37 bllowing person	ng filed by more than all the inventors named in the prior application. C.F.R. 1.63(d)(2), the Commissioner is requested to add the name(s)					





[X] Applicant(s) suggests Figure <u>1</u> for inclusion on the front page of the patent application publication and/or patent.

- 1. [X] Enclosed is a copy of the prior Application No. <u>09/052,614</u> as originally filed on <u>March 31, 1998</u>, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
- 2. [] Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
- 3. [X] Small entity status is hereby claimed.
- 4. [X] The filing fee is calculated below [X] and in accordance with the enclosed preliminary amendment:

CLAIMS								
	No. Of CLAIMS		EXTRA CLAIMS	RATE	FEE			
Basic Application Fee	\$710.00 (101)							
Total Claims	25	MINUS 20 =	5	× \$18.00 (103) =	90.00			
Independent Claims	6	MINUS 3 =	3	× \$80.00 (102) =	240.00			
If multiple dependent								
Total Application Fee	1,040.00							
If small entity status is	520.00							
Add Assignment Reco								
TOTAL APPLICATI	520.00							

- 5. [] Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
- 6. [X] A check in the amount of \$ 520.00 is enclosed for the fee due.
- 7. [X] The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
- 8. [X] Cancel in this application original claims <u>2-12</u> of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)



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NJ

16. [X]

L.L.P.

Request for Filing Continuation/Divisional Application of Application No. 09/052,614
Attorney's Docket No. 032942-032
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[] New drawings are enclosed. Priority of Application No. 2,209,342 filed on June 30, 1997 in Canada (country) 10. [X] is claimed under 35 U.S.C. § 119. [X] The certified copy of the priority application [] is enclosed. was filed on May 10, 2001 in prior Application No. 09/052,614, filed on March 31, 1998, and has not yet been acknowledged by the Examiner. [] has not yet been filed. Please amend the specification by inserting before the first line the sentence: 11. [X] -- This application is a [X] continuation [] divisional of Application No. 09/052,614, filed on March 31, 1998.--. [] --This application is a [] continuation [] divisional of U.S. Application No. _, filed on _, which was a national stage filing under 35 U.S.C. § 371 of International Application No. _ filed on _, which International Application [] was [] was not published by the International Bureau in English on _.-. [] --This application is a [] continuation [] divisional of U.S. Application No. _, filed on _, which was a continuation of International Application No. _, filed on _ , which International Application [] was [] was not published by the International Bureau in English on _.--. A preliminary amendment is enclosed. 12. [X] 13. [X] An Information Disclosure Statement is enclosed. A General Authorization for Payment of Fees and Petitions for Extensions of Time is 14. [] enclosed. Also enclosed a copy of the Revocation and New Power of Attorney by Assignees of 15. [X] Entire Interest and a copy of a Statement Under 37 C.F.R. §3,73(b), which were previously submitted in the parent application.



The power of attorney in the prior application is to Burns, Doane, Swecker & Mathis,

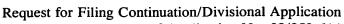
[X] Since the power does not appear in the original papers, a copy of the power

[X] Recognize as Associate Attorney <u>Donna M. Meuth, Reg. No. 36,607</u>.

a. [] The power appears in the original papers in the prior application.

in the prior application is enclosed.

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of Application No. <u>09/052,614</u> Attorney's Docket No. <u>032942-032</u>

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d. [X] Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Gerald F. Swiss BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404

Date: June 28, 2001

Donna M. Meuth Registration No. 36,607

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

[] inventor(s)
[] assignee of complete interest
[X] attorney or agent of record
[] filed under 37 C.F.R. § 1.34(a)